THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

-

WRIT PETITION No. 9888 OF 2006

Dated 23rd May 2006

Between:

P.Panchal Reddy S/o.Rangareddy

…Petitioner

and

The Regional Transport Officer, Nellore, & another.

…Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

AND

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WRIT PETITION No. 9888 OF 2006

O R D E R: (per LNR,J)

The petitioner purchased a vehicle with temporary Registration No.AP-28G-TRIBUNAL-7167. He states that when the vehicle was on the way, for the purpose of registration, it was seized under a check report, dated 15.5.2006. Petitioner contends that there is no violation, in respect of the vehicle, and seeks release of the same.

Heard the learned counsel for the petitioner and learned Government Pleader for Transport.

Admittedly, the vehicle was not yet registered. The question as to whether it was used as a passenger vehicle, even before registration and without obtaining any permit, needs to be considered in the proceedings that may have to be initiated by the concerned authority. The continued detention of the vehicle does not serve any purpose, either for the petitioner, or for the State.

Having regard to the facts and circumstances of the case, the writ petition is allowed, directing that the vehicle of the petitioner, seized under check report dated 15.5.2006, shall be released to the petitioner, on his deposit of a sum of Rs.10,000/- (ten thousand only). The release of the vehicle, as well as the determination of the actual amount payable by the petitioner, would depend upon the outcome of the proceedings that may be initiated by the concerned authorities. It is also made clear that the petitioner shall be entitled to use the vehicle, only after it is registered and covered by appropriate permits. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

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(D.APPA RAO, J)

Dt. 23.5.2006

Note: Issue C.C. by tomorrow

(B/o)

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